

C. REMARKS

Applicants respectfully request reconsideration of the outstanding rejections and reexamination of the present application in light of the following amendments and remarks.

Status of the Claims

Claims 1, 2, 4-11 and 37 are pending in the application. Claims 3 and 12-29 are currently canceled. Claims 30-36 were previously canceled. Claim 1 is amended. Claim 37 is newly added.

Amended Claims Presented in Condition For Allowance

The Office Action rejects claims 23-29 under 35 USC 101. [Office Action, p. 2] Claims 23-29 are currently canceled and therefore the rejection is no longer applicable in the present application.

The Office Action rejects claims 1, 2, 4-8, 10-13, 15-19, 21-24, and 26-29 under 35 USC 103(a) as being unpatentable over Pou et al. (US Publication 2005/0004873) in view of Costello et al. (US Publication 2002/0184038). [Office Action, p. 3] The Office Action states that claims 3, 9, 14, 20, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. [Office Action, p. 6]

Applicants present claims 1, 2, 4-11 and 37 in a condition for allowance. In particular, Applicants have amended claim 1 to teach the allowable subject matter of claim 3 rewritten in independent form, including all the limitations of the base claim. Claims 2 and 4-11 are dependent claims of claim 1, which is amended to present allowable subject matter, and therefore are allowable as dependent claims of an allowable independent claim. In addition, Applicants add claim 37, which is claim 9 rewritten in independent form including all of the limitations of the base claim. Applicants respectfully request issuance of a timely notice of allowance as to claims 1, 2, 4-11 and 37 in view of the amendments.

In this Amendment, Applicants amend claim 1 and cancel claims 3 and 12-29 from further consideration in this application. Applicants are not conceding that the subject matter encompassed by claims 12-29 or encompassed in claim 1 as originally presented is not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by claims 1-29 in one or more continuations and/or divisional patent applications. In addition, Applicants previously reserved the right to pursue claims, including the subject matter encompassed by claims 30-36 in one or more continuations and/or divisional patent applications.

Conclusion

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

No extension of time is believed to be necessary. If, however, an extension of time is required, the undersigned hereby authorizes the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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